

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

William Vazquez,

Plaintiff,

v.

Village of Bensenville,

Defendant.

No. 07-cv-6679

Judge Castillo
Magistrate Judge Keys

Joint Initial Status Report

Plaintiff William Vazquez and Defendant Village of Bensenville submit this initial status report:

A. Nature of the Case

- This is a § 1983 action brought against the Village of Bensenville. Mr. Vazquez has filed a motion for leave to file his Second Amended Complaint, which also names the Bensenville Police Department as a defendant.

- This Court has jurisdiction over Mr. Vazquez's constitutional claims through 28 U.S.C. § 1331. This Court has supplemental jurisdiction over Mr. Vazquez's state law claims through 28 U.S.C. § 1367.

- The Second Amended Complaint alleges three counts against both Defendants: (1) Malicious Prosecution, (2) Denial of Equal Protection of the Laws, and (3) Deprivation of the Right to Freedom of Speech.

- Mr. Vazquez seeks monetary damages. A computation of Mr. Vazquez's damages is not available at this date.

- The Village is still in the proces of evaluating the legal issues raised by the Second Amended Complaint and formulating its response should the Court grant Plaintiff leave to file

same. Assuming the Court grants Plaintiff leave to file the Second Amended Complaint, the factual issues appear to be centered on the content and nature of Mr. Vazquez's speech and the numerous parking citations and criminal proceedings against him. Also to be resolved is the issue of Mr. Vazquez's damages.

- On August 8, 2008, the Village served Mr. Vazquez with written discovery which may need to be supplemented, revised, or withdrawn should the Court grant Mr. Vazquez leave to file the Second Amended Complaint.

B. Outline of Draft Scheduling Order

March 2, 2009	Deadline to complete fact discovery
June 1, 2009	Deadline to complete expert discovery
July 13, 2009	Deadline to submit dispositive motions
September 7, 2009	Deadline to submit joint pretrial order
September 28, 2009	Trial

C. Trial Status

- A jury has been requested.

- Probable length of trial: approximately five (5) days.

D. Consent to Proceed Before a Magistrate Judge

- No, the parties do not consent to proceed before a magistrate judge.

E. Settlement Status

- The parties have discussed the possibility of settlement but no demands or offers have been made as it did not appear as though settlement would be possible at this time.

Dated: August 29, 2008

Plaintiff William Vazquez

By: /s/ Steven E. Cyranoski

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Defendant, The Village of Bensenville

By: /s/ Robert W. Funk

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